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February 10, 2023

Hon. Jennifer H. Rearden  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Juca, et al v. Banks et al.  
22-cv-09015 (JHR)

Your Honor,

I am an Assistant Corporation Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and have been assigned to represent the Defendants New York City Department of Education ("DOE") and David C. Banks, Chancellor of the DOE, (collectively "City Defendants") in the above-referenced matter. I write jointly with Plaintiffs' counsel, Ashleigh C. Rousseau, Esq., in accordance with Your Honor's Individual Rules.

Defendants and Plaintiffs write jointly to respectfully request an adjournment of the scheduled February 14, 2023 pretrial conference and to propose a briefing schedule. Pursuant to your Honor's Individual Rule 5(A), it is respectfully submitted a pre-motion conference is unnecessary in this case. Neither party will seek discovery. This is an appeal from an administrative decision and both parties will rely upon the administrative record. Both parties intend to move for summary judgment, pursuant to Fed. R. Civ. P. 56, and respectfully request that the submission of the Local Rule 56.1 statements be waived. This is the common approach when an action is brought challenging a final decision of a State Review Officer.

Counsel for the parties have agreed to the following briefing schedule: Plaintiffs to file their motion for summary judgment on March 9, 2023; Defendants to file their Opposition and cross-motion on

April 6, 2023; Plaintiffs to file their Opposition and Reply on April 27, 2023; Defendants to file their Reply on May 18, 2023.

The parties thank the Court for its courtesies and attention in this matter.

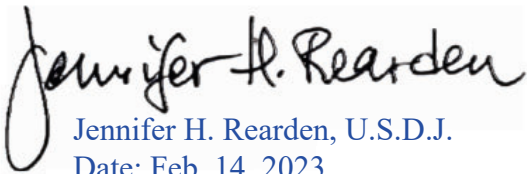
Respectfully Submitted,

/s/

Marilyn Richter  
Assistant Corporation Counsel

The February 14, 2023 pretrial conference has been adjourned. See ECF No. 10 (Notice of Reassignment). The parties' joint briefing schedule is hereby GRANTED.

SO ORDERED.



Jennifer H. Rearden, U.S.D.J.  
Date: Feb. 14, 2023